

**Friends of Casco Bay
Board Meeting – Minutes
Hybrid Meeting: In-person at GMRI and Online via Zoom
Tuesday, October 18, 2022, 5:30 p.m.**

In Attendance

Board: Sandy Marsters (President), Steve Bushey, Ellen Grant, Howard Gray, Pat Ianni, David Kaufman, Seb Milardo, Kirsten Piacentini, Malcolm Poole, Joan Benoit Samuelson

Staff: Mike Doan, Will Everitt, Ivy Frignoca, Heather Kenyon, Robby Lewis-Nash, Sarah Lyman

Welcome – President Sandy Marsters

Sandy opened the meeting by cutting a cake in honor of the 50th Anniversary of the Clean Water Act, which was passed by Congress 50 years ago to the day. Board members and staff shared their reflections on the strategic planning process thus far.

Action Item: Board Consent Agenda

Howard moved, David seconded, to approve the consent agenda as presented. *PASSED*

What We Saw This Summer, Q&A – Staff Scientist Mike Doan & Casco Baykeeper Ivy Frignoca

Mike reviewed the locations where we collect data from the Bay, both our seasonal sampling sites and the locations of our Continuous Monitoring Stations. We have visited our seasonal sampling sites once a month between May and October for 30 years. We use a data sonde at these sites to measure temperature, salinity, dissolved oxygen, pH, and chlorophyll fluorescence, a measure that provides an estimate of phytoplankton abundance. We also use a Secchi disk to measure water clarity and collect water samples to analyze for Total Nitrogen. In addition to collecting data, Mike, Ivy, Heather, and other staff that are assisting with sampling take time to talk with people who are working and recreating on the Bay. This is a major part of how we maintain a presence on and around the water.

This year we finished collecting a full year of data from all three of our Continuous Monitoring Stations. We have six years of data from our Yarmouth station, which has been in the water since 2016. Our stations use a data sonde to measure temperature, salinity, dissolved oxygen, pH, and chlorophyll fluorescence, and an additional sensor to measure the partial pressure of carbon dioxide. Collectively, these data help us assess the health of the Bay and how it is changing.

Mike shared a graph of average annual water temperatures from our 30 years seasonal sampling data set, which shows a statistically significant trend that the Bay is warming by approximately 1°F per decade. The Bay has warmed 3°F since we first started seasonal sampling in 1993, representing a dramatic increase in temperature over a short period of time.

Mike shared a graph showing six years of temperature data from our Continuous Monitoring Station in Yarmouth. He pointed out that this year the Bay reached the highest temperatures we have ever recorded at that station in July and August. Mike then compared dissolved oxygen (DO) data from all three stations. Fluctuations in DO are similar across the Bay, though Portland Harbor tends to have lower DO levels than the other two stations. DO is an important indicator of the health of the Bay because

everything that lives in the Bay needs oxygen to survive. Nitrogen pollution can lower DO levels, which is one reason we work on this issue.

Mike shared a graph comparing temperature and DO data that we collected from the Presumpscot River this summer. This data demonstrates that temperature and DO have an inverse relationship. This is mainly because cold water holds more oxygen, so as water temperatures increase DO levels decrease. As climate change continues to warm waters, it is going to make our work more difficult. For example, rising temperatures will exacerbate the impacts of nitrogen pollution on DO levels. Mike also showed how water releases at the dams along the Presumpscot can lower water temperatures and increase DO levels.

Kirsten asked if there is a rate of change model for these parameters. Mike said we would need more data to show a statistically significant trend. Howard noted these graphs illustrate an impact of climate change on the Bay, and that this information could be useful to address any strategic planning questions about if or how climate change is impacting the Bay. Pat asked who controls flow at the dam. Ivy said the dams are regulated by Federal Energy Regulatory Commission (FERC) licenses. These licenses are granted for 30-40 years. The FERC license at the Sappi mill requires them to monitor temperatures in the river. If the temperature increases to a certain point, they have to increase river flow from Sebago Lake to help protect fish and river habitat. However, these dam releases must be balanced against the Sebago Lake Management Plan, which calls for lake levels to be maintained in the summer to support recreation. The FERC license for the Sappi mill was granted recently, so it will be nearly a generation before we can advocate to change it.

Seb asked what other types of monitoring Mike would be doing if financial resources were not an issue. Mike would be interested in environmental DNA (eDNA) testing, which would help us track what species are in the Bay. Over time, eDNA data would show how species composition is changing. Ivy also noted how temperatures in the nearshore environment are getting extremely high in the summer. Improving our monitoring in the nearshore would be useful.

Seb asked how our river data will affect the Clean Water Act classification of the Presumpscot River. Mike said we will be starting to look at the data with the Department of Environmental Protection (DEP) tomorrow. Ivy explained that there were times this summer when DO in the Presumpscot River dropped below seven parts per million. Under a strict reading of Class B water quality standards (the classification we hope to upgrade the river to), that would mean the river does not meet Class B status. However, some language in the Clean Water Act classification statutes is vague, and Heather is looking at the history of upgrading water quality standards in Maine and EPA guidelines for developing water quality standards. We are trying to assess if these brief DO dips below seven parts per million should prevent the river from receiving higher protections.

Ivy reviewed the comments we filed on the permits for the Freeport Wastewater Treatment Facility and the Great Diamond Island (GDI) wastewater discharge, where she focused our comments on nitrogen pollution. Up until now, the state has monitored nitrogen pollution near dischargers. If they encounter high levels of nitrogen they conduct further investigations. However, this monitoring has been conducted unevenly. At the GDI facility, the state has no nitrogen data. Instead, they averaged limited data from other coastal wastewater treatment plants. The DEP is using the idea of Far Field Dilution, which is based

on the idea that because nitrogen is not toxic, regulations can allow for it to diffuse and dilute from its point source. Ivy shared that this is not good science and does not meet the standards for monitoring outlined in the Clean Water Act. We are concerned that the eelgrass beds near the discharge are not healthy, a sign of nitrogen pollution.

At the Freeport Wastewater Treatment Facility, DEP has used a different problematic strategy to monitor nitrogen pollution. DEP has only considered nitrogen pollution at the discharge site and not in the surrounding area. We know from water flow dye studies in the Harraseeket River, discharges from that facility flow to one of our water quality monitoring sites. This means that nitrogen discharged from the Freeport plant could be contributing to the high nitrogen levels we see at our Porter's Landing monitoring site. We asked DEP to investigate this question.

At the Great Diamond site, DEP looked far from the point of discharge to say that the discharge did not cause harm to water quality. In contrast in Freeport, they did the opposite. They looked only at the point of discharge and did no analysis to determine if the nitrogen load caused harm in the surrounding area. Providing permit comments like these are good examples of our watchdog role.

Kirsten asked if DEP is entirely responsible for these issues, or if there is pressure put on DEP to look the other way from the towns or local people. Ivy said local influence could certainly be a factor, but that DEP is the regulator. It is their job to monitor effectively, set permits, and enforce them.

Ivy said she also wrote comments on the MS4 second-step permits. These were very difficult, complex comments to write. She did not delve into the complex details of these comments due to time constraints.

Executive Director Update, Q&A – Executive Director Will Everitt

Will said our income is on track this year, but November, December, and January are when nearly half of our income comes in. We will be watching those numbers closely in the coming months. Will has been working with our controller on our finances.

Year-end giving has been a large focus for the development and communications team. Part of that is our fall newsletter which should hit mailboxes next week. Next are annual fund mailings and renewals, and letters to non-members, particularly near the Presumpscot River. Sarah has been setting up donor meetings for Will with supporters where there may be a potential for growth in their giving. Our primary concern about year-end giving is the state of the economy. However, Will likes to recall that looking back at past income data, it is difficult to pick out the influence of previous recessions.

Will updated everyone that we need to be out of our SMCC offices before the summer. Will is working with our realtor, Jed Rathband, to start the search for new office space. We are looking at smaller spaces than we have previously considered because so much of our work is done in the field or from our individual homes. We no longer require an office that can accommodate ten staff members every day.

Will said Board members can help our year-end giving by volunteering to write thank you notes to our top donors. Board members can also help at our Cinematic Celebration, as we are looking for volunteers to help with event setup, ticket sales, and more. Will reminded board members to solicit raffle items.

Will also asked that board members make sure their contact information is up-to-date on the board contact list (included in the board package).

Kirsten noted that she found it difficult to find information about the Cinematic Celebration on the website. It should be easier to locate. Staff said they will fix this problem.

Proposed Slate of Officers – President Sandy Marsters

Sandy noted that he and Seb joined the board at the same time. Sandy stepped into the role of Board President and Seb became our Vice President. Seb is stepping aside from his role as Vice President and Chair of the Community Engagement Committee for personal reasons. Kirsten has agreed to fill his place.

Action Item: vote on the proposed slate of board officers: President Sandy Marsters, Vice President Kirsten Piacentini, Treasurer Malcolm Poole, and Clerk Pat Ianni.

Howard moved, David seconded to approve the slate as presented. *PASSED*

Malcolm commented that we have two At-Large Directors, one year positions that hold seats on the Executive Committee. At-Large Directors are appointed at the President's discretion. David and Bud hold those seats now.

An update and discussion of our Environmental Justice, Diversity, Equity, and Inclusion work in our operating plan – Executive Director Will Everitt

Will noted the Board packet includes materials from our environmental justice, diversity, equity, and inclusion (EJDEI) training in February, parts of our operating plan relevant to EJDEI initiatives with comments about our progress, and a memo from our summer legal extern about EPA and other state's definitions of environmental justice and what other Waterkeepers are doing in their environmental justice work.

Will reviewed that in our current strategic plan we said that we should become more representative of the communities around the Bay. Our focus was honed in 2020 after George Floyd was murdered, prompting us to ask ourselves how we could become more antiracist as an organization and pursue learning. Will said that none of what is presented in the board package is meant to be lip service, nor is it meant to overstate what we are doing.

Why are we undertaking EJDEI work? How we do our work matters as much as what we achieve. That is the first reason we are including EJDEI in our work. We have always said that everyone is a *Friend* of the Bay, they just may not know it yet. EJDEI is also practical. Our communities are changing and we should change with them. From an advocacy standpoint, the federal and state governments are beginning to use the concept of environmental justice in policy and regulation. Poll after poll show that on average, people of color support climate change work more than white people. Being able to include more people who are with us on the issues in our work strengthens our organization in this area. This work also improves our public standing, where for example, many grant applications now ask us to include EJDEI statements. Will noted that there is a movement among young people to not intern and work for organizations that do not have EJDEI statements.

Will reviewed some major parts of our EJDEI work in our operating plan. Ivy has been promoting the use of EJDEI concepts among our partners. We are making our events hybrid to be more inclusive. Water Reporter is a bottom-up approach to science. We are working to make our content more accessible to a wider audience by lowering the reading level in our communications. Moving forward, we need to engage communities of people of color in our watershed. We are considering doing some training in this area with local consultants that have strong ties to immigrant communities.

Board members reflected on this work. Board members shared that this is important work that will help us reach more people. There was a wide-ranging discussion. Suggestions and thoughts about our work in this space included:

- A part of our strategic plan should focus on EJDEI.
- Parts of this work belong with the Community Engagement Committee.
- We should publish in *Anjambo Africa*, a local Maine paper that serves immigrant communities of African descent.
- We should benchmark with other nonprofits and companies. For example, L.L.Bean has had a very white, yacht club, east coast image in all their communications. They are working to change that. People want to see themselves in images.
- We should benchmark with higher education.
- We should work on having a shared language on this work as an organization.
- We should use \$50k of our savings to carry out a media plan like the one David Kaufman has suggested to broaden our audience and reach people up the watershed.
- The board should be more involved with staff in EJDEI work. EJDEI is not exclusively operational because it is an organizational issue. Board and staff should address it together. Considering the example of diversity, are we willing to commit to hiring people who would diversify our staff when we hire for new positions? Similarly, the board has not identified specific efforts to diversify its members. We could do the same thought experiment with equity or inclusion. This as an organizational effort, and if there are board members who are willing to participate, board and staff should get together and make a plan to accomplish our EJDEI goals.
- We could change how we communicate, and who we communicate and work with.
- Having shared definitions could help us all know what we mean when we talk about these concepts. We could also start connecting ourselves with people and organizations who represent people of color in our communities that would be interested in our work, seeing if there is overlap. We do this all of the time in other areas of work.
- We could be working with indigenous communities.
- Is the current culture of Friends of Casco Bay is compatible with our EJDEI goals? We need to make EJDEI an integral part of how we see and think about our work. For example, we will not reach new people if we continue to communicate in the ways we always have. We also have no idea what people think about Friends of Casco Bay, and what might make them interested in our organization.
- There are many EJDEI goals in our operating plan. How do we accomplish them all? Perhaps the board and staff should prioritize our EJDEI initiatives. We need to be cautious about

boards getting involved in operations, but the board and staff should work together because this affects our vision as an organization.

- Staff and board could work on developing a high level framework to identify priorities. Then those priorities can be integrated into the strategic plan, operating plans, and other aspects of our work.
- There is no downside to the board and staff working together on this.
- It is important for the board to rely on itself to develop its own practices; some things cannot be led by staff and that the board and staff can work together on this.
- EJDEI should be a part of the strategic plan, but that we are also trying to infuse *Friends* with a different way of thinking. In other organizations, board and staff work on this together because it is an organizational issue. We should not limit EJDEI to strategic planning.
- Board has been involved in EJDEI as a function of approving the operating plan. The board should become more diverse.

Sandy reflected that this work is a general issue for the public good and that as a nonprofit we are stewards of the public good. Sandy then suggested that the board form an EJDEI committee. This committee could come up with internal definitions of EJDEI terms and propose ways that these concepts fit into our work. Malcolm said that if an EJDEI committee were formed, it could inform the strategic plan when it comes together in March. He added that our overarching mission must be in focus in all work that our organization does.

The board consented to forming a committee.

Sandy asked that board members interested in serving on an EJDEI committee email him.

Adjournment – Sandy adjourned the meeting at 7:31 p.m.